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P.01

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FROM: John Platt

PHONE: 602.382.6367

RE: U.S. Serial No. 10/772,034

MESSAGE:

Response to Office Action (3 pages)

Thank you.  
John H. Platt

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CONFIRMATION NO.:

CLIENT MATTER NO.: 47254.5700

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CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this Response to Restriction Requirement is being facsimile transmitted to the United States Patent and Trademark Office at (703) 273 8300 and is addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: 2/8/07

By John Plett  
Signature

IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

--PATENT--

Applicant:	Michael J. Miller et al.	Docket No.:	47254.5700
Serial No.:	10/772,034	Confirmation No.:	3874
Filing Date:	February 3, 2004	Examiner:	Stephen M. Baker
Title:	RELIABLE METHOD AND SYSTEM FOR EFFICIENTLY TRANSPORTING DYNAMIC DATA ACROSS A NETWORK	Art Unit:	2133

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Honorable Commissioner:

In response to the Office Action mailed January 9, 2007, please accept this Response to the restriction requirement entered pursuant to 35 U.S.C. § 121 for the above-identified application.

Serial No. 10/772,034

PAGE 24 \* RCVD AT 2/8/2007 5:38:04 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-3/J2 \* DNIS:2738300 \* CSID:602 382 6070 \* DURATION (mm:ss):01:28

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Pursuant to 35 U.S.C. § 121, the Examiner entered a restriction requirement to one of the following inventions:

- I: Claims 1-26 and 76-108, drawn to a data recovery from data "segment" errors on a network wherein data segments comprise a data segment "error detection mechanism," a data segment length field used to calculate when to send an "acknowledgement segment" and forward error correction coding, classified in class 714, subclass 751.
- II: Claims 27-37, 48-57, 116 125 and 135-143, drawn to "dynamic error detection" of data segments on a network, classified in class 714, subclass 807.
- III: Claims 38-47, 58-67, 126-134 and 144-151, drawn to "dynamic error correction" on a network, classified in class 714, subclass 774.
- IV: Claims 68-75, 109-115 and 152-177, drawn to transmitting and receiving data on a network including a "Bandwidth Master Control Node" and a "transmit data converter" for fitting data into time slots with "non-binary widths," classified in class 370, subclass 498.

In response to the Examiner's restriction requirement, Applicant elects invention III, claims 38-47, 58-67, 126-134 and 144-151, for further examination. Applicant thanks the Examiner for his time in a telephonic conference on February 8, 2007, in which the possibility of combining groups II and III was discussed. In accordance with that call, Applicant respectfully requests reconsideration of the restriction requirement. If the Examiner finds that groups II and III can be combined, Applicants note that this combined group II and III would be what they would wish to have examined.

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Applicant has timely filed this response which is due February 9, 2007. If any extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 19-2814. A duplicate copy of this sheet is enclosed.

Dated: 8 Feb, 2007

Respectfully submitted,

By John H. Platt  
John H. Platt  
Reg. No. 47,863

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